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3 Eastern District of Washington
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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 No. 2:15-00038-JTR-1

12 vs.

13 ANTHONY P. BOSWORTH,

14 Defendant.

15 United States' Sentencing
16 Memorandum Notice of Review
17 of Presentence Report

18 Plaintiff, United States of America, by and through Michael C.
19 Ormsby, United States Attorney for the Eastern District of Washington, and
20 Matthew F. Duggan, Assistant United States Attorney for the Eastern
21 District of Washington, submits the following Sentencing Memorandum and
22 Review of Presentence Investigation Report (PSIR):

23 The United States has reviewed the PSIR prepared by United States
24 Probation Officer Cassie Lerch and filed on November 25, 2015 (ECF No.
25 37) and has determined, based upon information that is presently available,
26 that the PSIR is factually complete and accurate.

27 **I. Maximum Statutory Penalties**

The United States agrees with the PSIR that the Sentencing
Guidelines do not apply to this matter. Accordingly, the maximum statutory
United States' Sentencing Memorandum - 1

1 penalties for this offense are 30 days imprisonment, a \$5,000 fine, or both,
2 and up to 5 years probation, and a \$5 special assessment fee. Although not
3 referenced in the PSIR a \$25 Central Violations Bureau processing fee also
4 applies.

5 **II. Recommended Sentence**

6 The United States has considered the characteristics of the crime and
7 the Defendant and anticipates that it will recommend a two-year term of
8 probation and a \$500 fine. This sentence will promote respect for the law
9 and cover the costs of prosecution. Additionally, the term of probation will
10 effectively leave the matter open for a sentencing hearing upon any violation
11 of the terms of probation.

12 The United States presently does not intend to call any witnesses at
13 the sentencing hearing. The United States presently has no plans to introduce
14 any exhibits at the sentencing hearing.

15 The United States reserves the right to respond to any statement of the
16 Defendant in regard to the presentence investigation, and recommended
17 sentence.

18

19 Dated: December 2, 2015

20 MICHAEL C. ORSMBY
21 United States Attorney

22

23 s/ Matthew F. Duggan
24 Matthew F. Duggan
25 Assistant United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

David Louis Stevens
Colville Confederated Tribes
P.O. Box 150
Nespelem, WA 99155

s/ Matthew F. Duggan
Matthew F. Duggan
Assistant United States Attorney